

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and following remarks. In this response, claim 2 is eliminated, claims 11-12 are added, and previously withdrawn claims 9-10 are now canceled.

Also, in this response, claim 1 is amended to incorporate features of claim 2, and claim 3 is changed into independent form, incorporating features of claim 1. Independent claims 1 and 8 recites some common features, as do independent claims 3 and 11.

Amendments to claims 5 and 8 render moot the pending rejections under 35 U.S.C. 112.

As for the rejection of claims 1-8 under 35 U.S.C. 103, Applicant submits that features now recited by claim 1 (previously recited by now-canceled claim 2) and claim 3 distinguish Tokunaga (JP 63-188544) and Furukawa (JP 2001-260146), as well as the proposed combination of those references.

Specifically, through amendments that integrate claim 2 features, claim 1 now recites the inside surface of the structure member and a part of the surface of the rib being provided with a noise absorption layer. Without referencing any particular portion of Tokunaga, the Office Action suggests that Tokunaga shows this feature. Applicant respectfully disagrees. In Fig. 4, for instance, the Tokunaga structure (11) and ribs (12) are shown, yet no noise absorption layer is provided at the inside surface of the structure member or along the rib surface of Tokunaga. Rather, as described in the English language Constitution, the inside surface of structure 11 is the interior of Tokunaga's dash 10, and no insulating layer is provided at the surface of that dash 10. Similarly, ribs 12 are devoid of a noise absorption layer, as they are merely surrounded by air as illustrated in Fig. 4 and described by the Constitution (ribs 12 are used by Tokunaga to provide "clearance for an air layer"). Accordingly, as such, Tokunaga fails to teach a noise absorption layer, as claimed, at the inside surface of the structure member and a part of the surface of the rib.

Claim 3 recites an inside surface of the structure member confronting the exterior material being provided with the noise absorption layer. As suggested above with respect to claim 1, Tokunaga shows only a single layer dash panel 13 attached to ribs 12. Tokunaga

therefore fails to contemplate a distinction between a structure member and a noise absorption layer, as claimed, or the specific relative orientation of those elements, as also claimed.

Claim 6 depends from claim 3, additionally reciting a surface clad material attached to a surface of the noise absorption layer opposite the structure member side. Inasmuch as Tokunaga merely discloses a single-layer dash panel 11, without a constituent structure member or noise absorption layer, it also consequently fails to disclose surface clad material attached to a noise absorption layer, as recited by claim 6.

Claims 4-5 and 7 also depend from claims 1 and/or 3, directly or indirectly. And, as indicated above, claim 8 recites some features similar to those discussed above with respect to claim 1, and claim 11 For these reasons, Applicant requests withdrawal of the rejection of claims 1 and 3-8.


Moreover, new claim 11 recites some features similar to those discussed above with respect to claim 3, and new claim 12 depends from claim 1.

Consequently, Applicant requests allowance of all pending claims.

The fee in the amount of \$1020 for the Petition for Extension of Time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 13, 2008



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